

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**BENITA DIXON**, *individually and on behalf  
of all others similarly situated*,

Plaintiff,

v.

**LINCOLN UNIVERSITY**,

Defendant.

**CIVIL ACTION**

**NO. 24-1057-KSM**

**AMENDED ORDER**

**AND NOW**, this 26th day of December, 2024, upon consideration of Plaintiff's motion to compel answers to interrogatories and deposition dates (Doc. No. 26) and following a status conference with the parties today, the Court's **ORDER** dated December 24, 2024 is **AMENDED** as follows:

1. Plaintiff's motion is **GRANTED**, and Defendant shall serve its answers to interrogatories and provide the availability of Brenda A. Allen, Ph.D., and Patricia A. Joseph, Ph.D., for depositions by **Friday, January 3, 2025**.

2. After giving defense counsel the opportunity to be heard on the motion to compel during the December 26, 2024 status conference, the Court will award Plaintiff attorney's fees in connection with Plaintiff's motion to compel.<sup>1</sup> *See* Fed. R. Civ. P. 37(a)(5)(A) ("If [a motion to compel] is granted—or if the disclosure or requested discovery is provided after the motion was filed—the court *must*, after giving an opportunity to be heard, require the party or deponent

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<sup>1</sup> At the status conference held on December 26, 2024, defense counsel agreed that there are outstanding discovery requests from July 2024.

whose conduct necessitated the motion, the party or attorney advising that conduct, or both to pay the movant's reasonable expenses incurred in making the motion, including attorney's fees." (emphasis added)). Plaintiff shall provide the Court with an affidavit detailing the fees associated with the motion no later than **January 6, 2025**.

3. **IT IS FURTHER ORDERED** that on **Monday, January 6, 2025, at 1:00 p.m.**, the Court will hold an in person **STATUS CONFERENCE** in Courtroom 15-B of the United States District Courthouse, 601 Market Street, Philadelphia, Pennsylvania. **The President and General Counsel of Lincoln University, Brenda A. Allen, Ph.D. and Venus Boston, Esq., are obligated to appear along with their counsel.**

**IT IS SO ORDERED.**

/s/ Karen Spencer Marston  
KAREN SPENCER MARSTON, J.